

1 THOMAS M. HERLIHY (SBN 83615)  
2 MICHAEL G. GLANZBERG (SBN 178751)  
3 JOHN C. FERRY (SBN 104411)  
4 KELLY, HERLIHY & KLEIN LLP  
5 44 Montgomery Street, Suite 2500  
San Francisco, California 94104-4217  
Telephone: (415) 951-0535  
Facsimile: (415) 391-7808  
Email: [jferry@kelher.com](mailto:jferry@kelher.com)

6 Attorneys for Defendants  
UNUM PROVIDENT CORPORATION and  
7 PROVIDENT LIFE & ACCIDENT  
INSURANCE COMPANY

\*E-FILED ON 07/01/05\*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

1 Plaintiff Cynthia Mendez, Stephen Prater, and defendants UnumProvident Corporation and  
2 Provident Life & Accident Insurance Company, through their counsel of record, stipulate that the  
3 motion to compel be continued for hearing from July 5, 2005 to July 6, 2005. Counsel have  
4 discussed other dates on which the court normally hears civil law and motion. However, counsel are  
5 not all available on July 12 (the next Tuesday law and motion date on the Court's calendar), and  
6 although counsel are available on July 19, 2005, the Court is not available that date.

7 KELLY, HERLIHY, & KLEIN LLP  
8

9 Dated: June 29, 2005

10 By \_\_\_\_\_  
11 John T. Burnite  
12 Attorneys for Defendants  
13 UNUMPROVIDENT CORPORATION  
14 AND PROVIDENT LIFE & ACCIDENT  
15 INSURANCE COMPANY

16 BOHN & BOHN  
17

18 Dated: June   , 2005

19 By: \_\_\_\_\_  
20 Robert Bohn  
21 Attorney for Plaintiff  
22 CYNTHIA MENDEZ

23 FRIEDMAN, RUBIN & WHITE  
24

25 Dated: June   , 2005

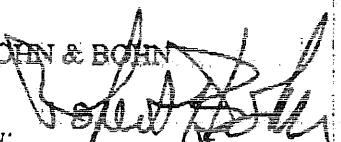
26 By: \_\_\_\_\_  
27 Jeffrey K. Rubin  
28 Attorney for Plaintiff  
CYNTHIA MENDEZ

29 COTCHETT, PITRE, SIMON & McCARTHY  
30

31 Dated: June   , 2005

32 By: \_\_\_\_\_  
33 Barbara L. Lyons  
34 Attorney for Plaintiff  
35 CYNTHIA MENDEZ  
36 DISCLOSED EXPERT  
37 STEPHEN D. PRATER  
38 //

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13 John T. Burnite  
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21 By: \_\_\_\_\_  
22 Robert Bohn  
23 Attorney for Plaintiff  
24 CYNTHIA MENDEZ  
2526 FRIEDMAN, RUBIN & WHITE  
2728 Dated: June \_\_\_, 2005  
1920 By: \_\_\_\_\_  
21 Jeffrey K. Rubin  
22 Attorney for Plaintiff  
23 CYNTHIA MENDEZ  
2425 COTCHETT, PITRE, SIMON & McCARTHY  
2627 Dated: June \_\_\_, 2005  
2829 By: \_\_\_\_\_  
Barabara L. Lyons  
30 Attorney for Plaintiff  
31 CYNTHIA MENDEZ  
32

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33 STIPULATION TO CONTINUE THE LAST DAY TO HEAR DISPOSITIVE MOTIONS AND FOR A LIMITED  
34 EXTENSION OF THE DISCOVERY CUT-OFF.  
35

36 Case No. C04 01312 JW

1 Plaintiff Cynthia Mendez, Stephen Prater, and defendants UnumProvident Corporation and  
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8 KELLY, HERLIHY, & KLEIN LLP

9 Dated: June \_\_\_, 2005

By \_\_\_\_\_

John T. Burnite  
Attorneys for Defendants  
UNUMPROVIDENT CORPORATION  
AND PROVIDENT LIFE & ACCIDENT  
INSURANCE COMPANY10  
11  
12 BOHN & BOHN

13 Dated: June \_\_\_, 2005

By: \_\_\_\_\_

Robert Bohn  
Attorney for Plaintiff  
CYNTHIA MENDEZ14  
15  
16 FRIEDMAN, RUBIN & WHITE

17 Dated: June 27, 2005

By: \_\_\_\_\_

Jeffrey K. Rubin  
Attorney for Plaintiff  
CYNTHIA MENDEZ18  
19  
20 COTCHETT, PITRE, SIMON & McCARTHY

21 Dated: June \_\_\_, 2005

By: \_\_\_\_\_

Barabara L. Lyons  
Attorney for Plaintiff  
CYNTHIA MENDEZ22 //  
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24 STIPULATION TO CONTINUE THE LAST DAY TO HEAR DISPOSITIVE MOTIONS AND FOR A LIMITED  
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9 Dated: June \_\_\_, 2005

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11 John T. Burnite  
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15 INSURANCE COMPANY

16 BOHN & BOHN  
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18 Dated: June \_\_\_, 2005

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20 Robert Bohn  
21 Attorney for Plaintiff  
22 CYNTHIA MENDEZ

23 FRIEDMAN, RUBIN & WHITE  
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25 Dated: June \_\_\_, 2005

26 By: \_\_\_\_\_  
27 Jeffrey K. Rubin  
28 Attorney for Plaintiff  
CYNTHIA MENDEZ

COTCHETT, PITRE, SIMON & McCARTHY

Dated: June 29, 2005

By: *Barbara Lyons*  
Barbara L. Lyons  
Attorney for Plaintiff  
~~CYNTHIA MENDEZ~~  
Disclosed Expert  
~~STEPHEN J. PRATER~~

STIPULATION TO CONTINUE THE LAST DAY TO HEAR DISPOSITIVE MOTIONS AND FOR A LIMITED  
EXTENSION OF THE DISCOVERY CUT-OFF

Case No. C04 01312 JW

## ORDER

In consideration of the stipulation signed by the parties, it is hereby ordered that:

The motion to compel presently scheduled for July 5, 2005 at 10:00 a.m. is continued for hearing to July 6, 2005, 10:00 a.m., Courtroom 2.

## **IT IS SO ORDERED.**

July

Dated ~~xx~~<sup>xx</sup>xx 1 , 2005

/s/ Howard R. Lloyd

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